

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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LABORERS INTERNATIONAL UNION OF	:	CIVIL ACTION
NORTH AMERICA, LOCAL 199/847	:	
WELFARE, PENSION, EDUCATION, and	:	
ANNUITY FUNDS, et al.,	:	NO. 02-CV-2871 (CW)
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
DAN LEPORE & SONS, INC.,	:	
	:	
Defendants	:	

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PRAECIPE FOR WRIT OF EXECUTION

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TO THE CLERK:

ISSUE WRIT OF EXECUTION in the above matter, directed to the United States Marshal for the Eastern District of Pennsylvania, and against First Union Bank, c/o Legal Department, 123 South Broad Street, Philadelphia, PA 19107, Garnishee, and index this writ against Dan LePore & Sons, Inc. and against First Union Bank as garnishee, as a lis pendens against real property of the judgment debtor in the name of the Garnishee, as follows:

Amount Due:      \$1,188.15

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DATE

R. Matthew Pettigrew, Jr.  
Markowitz & Richman  
1100 North American Building  
121 South Broad Street  
Philadelphia, PA 19107  
215-875-3100  
Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
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ANNUITY FUNDS, et al.,	:	NO. 02-CV-2871 (CW)
Plaintiffs	:	
	:	
v.	:	
	:	
DAN LEPORE & SONS, INC.,	:	
Defendants	:	

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**WRIT OF EXECUTION**

TO THE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA:

To satisfy judgment, interest, and costs against DAN LEPORE & SONS, INC., defendant:

- (1) You are directed to levy upon the property of the defendant and sell his interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of First Union Bank, c/o Legal Department, 123 South Broad Street, Philadelphia, PA, 19107, as garnishee, in particular any and all sums being held on deposit on behalf of Dan LePore & Sons, Inc., including but not limited to account numbers 031000503 and 2014427346311, and to notify the garnishee that:
  - (a) an attachment has been issued;
  - (b) the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
- (3) if property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and enjoined as above stated.

Amount Due:	<u>\$1,188.15</u>
Interest From 7/9/02:	\$_____
(Cost to be Added):	\$_____

MICHAEL E. KUNZ  
(CLERK OF COURT)

Seal of the Court

By: \_\_\_\_\_  
(DEPUTY CLERK)

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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	:	
V.	:	
	:	
DAN LEPORE & SONS, INC.,	:	
	:	
Defendants	:	

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**WRIT OF EXECUTION: NOTICE**

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This paper is a **Writ of Execution**. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the United States Marshal's office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

LAWYER REFERENCE SERVICE  
PHILADELPHIA BAR ASSOCIATION  
11TH FLOOR  
1101 MARKET STREET  
PHILADELPHIA, PA 19107  
215-238-1701

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ANNUITY FUNDS, et al.,	:	NO. 02-CV-2871 (CW)
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Plaintiffs	:	
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v.	:	
	:	
DAN LEPORE & SONS, INC.,	:	
	:	
Defendants	:	

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CLAIM FOR EXEMPTION

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TO THE U.S. MARSHAL:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

(i) set aside in kind (specify property to be set aside in kind):

(ii) paid in cash following the sale of property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):

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(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300 statutory exemption:    in cash;    in kind (specify property):

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(b) Social Security benefits on deposit in the amount of \$\_\_\_\_\_

(c) Other (specify amount and basis of exemption):

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I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at: \_\_\_\_\_

\_\_\_\_\_ (Address)

\_\_\_\_\_ (Telephone Number)

I declare under penalty of perjury that the foregoing statements made in this claim for exemption are true and correct.

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DATE

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SIGNATURE OF DEFENDANT

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE U.S. MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA:

2110 United States Courthouse  
601 Market Street  
Philadelphia, Pennsylvania, 19106  
(215) 597-7272

*Note:* Under paragraphs (1) and (2) of the writ, a description of specific property to be levied upon or attached may be set forth in the writ or included in a separate direction to the United States Marshal.

Under paragraph (2) of the writ, if the attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the United States Marshal may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a).

(b) Each court shall by local rule designate the officer, organization or person to be named in the notice.

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Plaintiffs	:	NO. 02-CV-2871 (CW)
v.		
DAN LEPORE & SONS, INC.,	:	
Defendants	:	

## NOTICE

TO: FIRST UNION BANK  
c/o Legal Department  
123 South Broad Street  
Philadelphia, PA 19107

## **IMPORTANT NOTICE**

You are in default because you failed to take action required of you in this case. Unless you act within ten days from the date of this Notice, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this Notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help.

LAWYER REFERENCE SERVICE  
PHILADELPHIA BAR ASSOCIATION  
1101 MARKET STREET - 11TH FLOOR  
PHILADELPHIA, PA 19107  
215-238-1701

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1100 North American Building  
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215-875-3100  
Attorney for Plaintiffs